



# **RIGHT TO CARE NPC ("RTC")**

**(Registration Number: 2001/001745/08)**

**MANUAL IN TERMS OF SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT,  
ACT NO. 2 OF 2000 ("THE ACT")**

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## **1. INTRODUCTION**

RTC is a non-profit company that supports and delivers prevention, care and treatment services for HIV and associated diseases. Through technical assistance, RTC supports the Department of Health at national level. Support at provincial level is provided primarily in five provinces: Gauteng, Mpumalanga, Northern Cape, Western Cape, and Free State. In addition, through direct service delivery, RTC treats patients for HIV, TB, cervical cancer and sexually transmitted infections. Support for clinical programmes is delivered through development of clinical best practices, research, training, mentoring, and participation in technical committees, provision of facilities and

equipment, and secondment of staff, among others services.

## **2. CONTACT DETAILS**

**Name of Company:** Right to Care NPC

**Chairman of the Board of Directors:** Shauket Fakie

**Chief Executive Officer and Director:** Pappie Majuba (Acting)

**Information Officer:** Heinrich Stevens (Company Secretary)

**Street Address:** On the Lake, 1006 Lenchen Avenue North Centurion

**Postal Address:** Postnet Suite 212, Private Bag X2600, Houghton, 2041

**Telephone Number:** 011-2768885

**E-mail:** heinrich.stevens@righttocare.org

**Website:** [www.righttocare.org](http://www.righttocare.org)

## **3. THE ACT AND SECTION 10 GUIDE**

The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and rates are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041  
Telephone Number: +27-11-877 3600  
Fax Number: +27-11-403 0625  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

#### 4. APPLICABLE LEGISLATION

RTC keeps information/documents in accordance with the following legislation (please note that this is not an exhaustive list):

<u>No</u>	<u>Ref</u>	<u>Act</u>
1.	No 71 of 2008	Companies Act
2.	No 55 of 1998	Employment Equity Act
3.	No 95 of 1967	Income Tax Act
4.	No 66 of 1995	Labour Relations Act
5.	No 89 of 1991	Value Added Tax Act
6.	No 75 of 1997	Basic Conditions of Employment Act
7.	No 71 of 1997	Non-profit Organisation Act
8.	No 2 of 2000	Promotion of Access of Information Act
9.	No 30 of 1996	Unemployment Insurance Act

#### 5. SCHEDULE OF RECORDS

The following records are not automatically available without a request therefor in terms of the Act (please note that this is not an exhaustive list):

- Company Secretarial:
  - o Company Memorandum of Incorporation/Registers/Statutory returns
- Movable and Immovable Property:
  - o Title Deeds
  - o Lease Agreements

- o Hire Agreements/Rental Agreements
  
- Intellectual Property:
  - o Trade Marks
  - o Patents
  
- Insurance:
  - o Insurance Policies/Claims Files
  
- Third Parties:
  - o Records held by RTC relating to other parties, including financial records, correspondence, contractual records, records provided by other parties and records third parties have provided about RTC's contractors and suppliers in respect of contractors, suppliers, subsidiary or fellow subsidiary companies, joint venture partners and service providers.
  
- Human Resources:
  - o Policies and Procedures
  - o Employee Information
  - o Personnel Files
  - o Conditions of Employment
  - o Training Schedule and Related Material
  
- Finance:
  - o Financial Statements
  - o Reports and Returns
  - o Banking Details and Bank Account Records
  - o Debtors/creditors Statements and Invoices

## **6. FORM OF REQUEST**

To facilitate the processing of your request, kindly:

- Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za)
- Address your request to the Company Secretary.

- Provide sufficient details to enable RTC to identify:
  - o The record(s) requested.
  - o The requester (and if an agent is lodging the request, proof of capacity).
  - o The form of access required.
  - o The postal address or E-mail of the requester in South Africa.
- If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
- The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

## **7. PRESCRIBED FEES**

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- Records may be withheld until the fees have been paid.

The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za)